

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Shu Hua Qin,

2:16-cv-00189-JAD-NJK

Plaintiff

V.

Order Remanding Case for Want of Subject-matter Jurisdiction

William Taylor, et al.,

Defendants

Defendant William Taylor removed this unlawful-detainer action from the Las Vegas Court to this court in February 2016 and seeks pauper status.¹ Taylor did not attach to his initial notice the documents from the state-court action as 28 U.S.C. § 1446(a) requires,² but he claims that this court's jurisdiction arises under 28 U.S.C. § 1443 because this is a civil-rights case and he is being deprived of due process.³

Because a defendant “cannot remove a state-law claim from state to federal court even if his defense is based entirely on federal law,”⁴ I gave Taylor until October 7, 2016, to show cause why this case should not be remanded back to state court for lack of subject-matter jurisdiction. I warned Taylor that, if he did not “file a response to this order by that date or fail[ed] to demonstrate that federal subject-matter jurisdiction exists, this case w[ould] be remanded without further notice.”⁵

October 7, 2016, came and went without any response to my OSC or a request to extend the deadline for response. Accordingly, because it appears that this court lacks subject-matter

1 ECF No. 1.

² 28 U.S.C. § 1446(a) (explaining that the notice of removal must be filed “together with a copy of all process, pleadings, and orders served upon such defendant”).

³ ECFE No. 1-1 at 3-4.

⁴ *Hunter v. United Van Lines*, 746 F.2d 635, 639 (9th Cir. 1984).

5 ECE No. 4

1 jurisdiction over this justice-court eviction case and that removal was therefore improper,

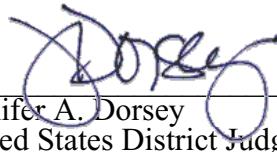
2 IT IS HEREBY ORDERED that **this case is REMANDED back to the Justice Court,**

3 **Las Vegas Township, Clark County, Nevada, Case No. 15E009327.** The Clerk of Court is

4 directed to CLOSE THIS CASE.

5 IT IS FURTHER ORDERED that Taylor's Application to Proceed Without Prepaying
6 Fees or Costs [ECF No. 1] is **DENIED as moot.**

7 Dated October 24, 2016

8 
9 Jennifer A. Dorsey
10 United States District Judge